

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA

§

§

v.

§ CAUSE NO. EP-25-MJ-2423-LE

§

ESVIN ALEXANDER TAX-MENCHU,

§

**DEFENDANT'S MOTION FOR ADMINISTRATIVE SETTING
IN LIEU OF APPEARANCE AT FIRST DOCKET CALL**

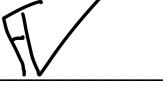
TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

Comes now, undersigned counsel for the Defendant, Esvin Alexander Tax-Menchu, on this day and respectfully moves the Court to grant Counsel leave to enter this appearance administratively and in lieu of appearing at the Docket Call scheduled for _____, and in support of said Motion shows the Court as follows:

- 1. Counsel, **never having previously requested nor obtained a Continuance**, moves for Continuance of the Docket Call because of the need for investigation, plea negotiations, and/or preparation of the defense due to complex discovery issues in the case. Counsel further avers that the interest of justice outweighs the interest of the Defendant and the public in a speedy trial and agrees that the timing from the scheduled docket calls through the next docket call, is excludable time within the meaning of the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*; or
- 2. The Defendant moves to have the above styled and numbered cause set for a Plea Hearing and states that said Plea Hearing may be referred to the United States Magistrate to be set at the Court's convenience; **(the Plea Hearing date may NOT be scheduled after the Court's next regularly scheduled Docket Call date)** The Defendant requests the plea be set in ____ 2 weeks, ____ 3 weeks; or
- 3. The Defendant moves to have the above styled and numbered cause set for a Plea and Sentencing Hearing before this Court to be set at the Court's convenience. The Defendant understands it can only be sentenced at the time of the Plea if Defendant obtains that approval from the United States Probation Office to have a Pre-Sentence Investigation Report prepared for that date. The Defendant accepts the responsibility to resolve that approval and sentencing issue with the United States Probation Office. The Defendant requests the plea be set in X 2 weeks, ____ 3 weeks.

4. This Motion is filed not later than two (2) business days prior to the scheduled Docket Call.

Respectfully submitted,



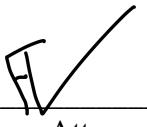
(signature)

Felix Valenzuela (typed or printed name)
Defense Counsel for

Esvin Alexander Tax-Menchu (typed or printed name)
Defendant

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above Motion was served upon opposing counsel, UNITED STATES ATTORNEY'S OFFICE by facsimile or electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant, in accordance with the Federal Rules of Criminal Procedure on the 29th day of May, 2025.



Defense Attorney